

GREENBERG TRAURIG, LLP
Adam D. Cole (AC 1335)
Caroline J. Heller (CH 8814)
The MetLife Building
200 Park Ave. - 15th Floor
New York, New York 10166
Telephone: (212) 801-9200

-and-

MICHAEL BEST & FRIEDRICH LLP
Amy V. Kossoris, admitted pro hac vice
100 East Wisconsin Avenue, Suite 3300
Milwaukee, Wisconsin 53202
Telephone: (414) 271-6560

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

AMERICAN APPRAISAL ASSOCIATES, INC.
411 East Wisconsin Avenue, Suite 1900
Milwaukee, Wisconsin 53202,

Plaintiff,

V.

AMERICAN APPRAISAL SERVICES, INC.
129 Hammond Road
Centereach, NY 11720

Defendant.

05-CV-01863 (LDW)

**ORDER FOR ENTRY OF
DEFAULT JUDGMENT
AND PERMANENT
INJUNCTION AGAINST
DEFENDANT
AMERICAN APPRAISAL
SERVICES, INC.**

Having considered Plaintiff American Appraisal Associates, Inc.'s ("American Appraisal") Application for Entry of Default Judgment and the Affirmation of Caroline J. Heller, the Complaint, and other papers in the Court's file in this matter,

THE COURT ORDERS AS FOLLOWS:

1. Defendant American Appraisal Services, Inc. ("Defendant") is liable to American Appraisal for willful trademark infringement under 15 U.S.C. § 1114 *et seq.*, resulting from its use in commerce of American Appraisal's lawful trademarks.

2. Defendant is liable to American Appraisal for willful trademark infringement and unfair competition under 15 U.S.C. § 1125(a), resulting from its use in commerce of American Appraisal's lawful trademarks.

3. Defendant is liable to American Appraisal for trademark infringement under 15 U.S.C. § 1114, resulting from its use in commerce of American Appraisal's lawful trademarks.

4. Defendant is liable to American Appraisal for trademark dilution under 15 U.S.C. §§ 1125(c)(1) and (2).

5. Defendant is liable to American Appraisal for trademark infringement and unfair competition under the common law.

6. American Appraisal is hereby awarded judgment against Defendant as follows:

a. Attorneys' Fees	\$ <u>4592.50</u>
b. Costs	\$ <u>34.99</u>
Total Judgment	\$ <u>4627.49</u>

7. This judgment shall accrue interest, compounded annually, pursuant to 28 U.S.C. § 1961.


8. Pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, this Court expressly determines that there is no just reason for delay in the entry of judgment against Defendant given the possibility of continuing infringement and Defendant's failure to file an

answer after repeated notices to do so. It is directed that judgment against Defendant be entered forthwith.

9. Defendant shall be permanently enjoined from further infringing American Appraisal's registered trademarks. This Court contemporaneously issues a separate permanent injunction.

IT IS SO ORDERED. JUDGMENT TO BE ENTERED ACCORDINGLY.

CENTRAL Islip, NY
DATED: 3/9, 2005



U.S.D.J.